

<b>Information to identify the case:</b>		
Debtor 1:	<b>MISTY ROBERTS</b>	Social Security number or ITIN: xxx-xx-3280
	First Name Middle Name Last Name	EIN: --_-----
Debtor 2:	<b>JAMES DARIN CLEMONS</b>	Social Security number or ITIN: xxx-xx-5716
(Spouse, if filing)	First Name Middle Name Last Name	EIN: --_-----
United States Bankruptcy Court:	U.S. Bankruptcy Court, District of Montana	Date case filed for chapter: 13 7/13/21
Case number:	1:21-bk-10080-BPH	

**Official Form 309I****Notice of Chapter 13 Bankruptcy Case**

10/20

**For the debtors listed above, a case has been filed under chapter 13 of the Bankruptcy Code. An order for relief has been entered.**

**This notice has important information about the case for creditors, debtors, and trustees, including information about the meeting of creditors and deadlines. Read both pages carefully.**

The filing of the case imposed an automatic stay against most collection activities. This means that creditors generally may not take action to collect debts from the debtors, the debtors' property, and certain codebtors. For example, while the stay is in effect, creditors cannot sue, garnish wages, assert a deficiency, repossess property, or otherwise try to collect from the debtors. Creditors cannot demand repayment from debtors by mail, phone, or otherwise. Creditors who violate the stay can be required to pay actual and punitive damages and attorney's fees. Under certain circumstances, the stay may be limited to 30 days or not exist at all, although debtors can ask the court to extend or impose a stay.

Confirmation of a chapter 13 plan may result in a discharge. Creditors who assert that the debtors are not entitled to a discharge under 11 U.S.C. § 1328(f) must file a motion objecting to discharge in the bankruptcy clerk's office within the deadline specified in this notice. Creditors who want to have their debt excepted from discharge may be required to file a complaint in the bankruptcy clerk's office by the same deadline. (See line 13 below for more information.)

To protect your rights, consult an attorney. All documents filed in the case may be inspected at the bankruptcy clerk's office at the address listed below or through PACER (Public Access to Court Electronic Records at <https://pacer.uscourts.gov>).

**The staff of the bankruptcy clerk's office cannot give legal advice.**

**To help creditors correctly identify debtors, debtors submit full Social Security or Individual Taxpayer Identification Numbers, which may appear on a version of this notice. However, the full numbers must not appear on any document filed with the court.**

**Do not file this notice with any proof of claim or other filing in the case. Do not include more than the last four digits of a Social Security or Individual Taxpayer Identification Number in any document, including attachments, that you file with the court.**

	About Debtor 1:	About Debtor 2:
<b>1. Debtor's full name</b>	MISTY ROBERTS	JAMES DARIN CLEMONS
<b>2. All other names used in the last 8 years</b>		
<b>3. Address</b>	PO BOX 2313 RED LODGE, MT 59068	PO BOX 2313 RED LODGE, MT 59068
<b>4. Debtor's attorney</b> Name and address	Bret T Allred Yellowstone Law Group LLC 117 North Bent Street Suite B Powell, WY 82435	Contact phone 307-271-1034 Email: <a href="mailto:bret@yellowstonelawgroup.com">bret@yellowstonelawgroup.com</a>
<b>5. Bankruptcy trustee</b> Name and address	ROBERT G. DRUMMOND PO BOX 1829 GREAT FALLS, MT 59403	Contact phone 406 761-8600 Email: <a href="mailto:Trustee@MTChapter13.com">Trustee@MTChapter13.com</a>
<b>6. Bankruptcy clerk's office</b> Documents in this case may be filed at this address. You may inspect all records filed in this case at this office or online at <a href="https://pacer.uscourts.gov">https://pacer.uscourts.gov</a> .	Room 263 Federal Building 400 North Main Butte, MT 59701	Hours open: 8:00AM – 5:00PM Contact phone (406)497-1240 Date: 7/13/21

**For more information, see page 2**

Debtor **MISTY ROBERTS** and **JAMES DARIN CLEMONS**

Case number 1:21-bk-10080-BPH

<b>7. Meeting of creditors</b>	Debtors must attend the meeting to be questioned under oath. In a joint case, both spouses must attend. Creditors may attend, but are not required to do so.	<b>Location:</b> Video Conference 341 Meeting, Contact the case trustee at: <a href="mailto:tfloerchinger@mtchapter13.com">tfloerchinger@mtchapter13.com</a>
<b>8. Deadlines</b>	The bankruptcy clerk's office must receive these documents and any required filing fee by the following deadlines.	
<b>Deadline to file a complaint to challenge dischargeability of certain debts:</b>		<b>Filing deadline: 10/25/21</b>
<b>You must file:</b>		
<ul style="list-style-type: none"><li>a motion if you assert that the debtors are not entitled to receive a discharge under U.S.C. § 1328(f), or</li><li>a complaint if you want to have a particular debt excepted from discharge under 11 U.S.C. § 523(a)(2) or (4).</li></ul>		
<b>Deadline for all creditors to file a proof of claim (except governmental units):</b>		<b>Filing deadline: 9/21/21</b>
<b>Deadline for governmental units to file a proof of claim:</b>		<b>Filing deadline: 1/10/22</b>
<hr/>		
<b>Deadlines for filing proof of claim:</b> A proof of claim is a signed statement describing a creditor's claim. A proof of claim form may be obtained at <a href="http://www.uscourts.gov">www.uscourts.gov</a> or any bankruptcy clerk's office. If you do not file a proof of claim by the deadline, you might not be paid on your claim. To be paid, you must file a proof of claim even if your claim is listed in the schedules that the debtor filed. Secured creditors retain rights in their collateral regardless of whether they file a proof of claim. Filing a proof of claim submits the creditor to the jurisdiction of the bankruptcy court, with consequences a lawyer can explain. For example, a secured creditor who files a proof of claim may surrender important nonmonetary rights, including the right to a jury trial.  <b>Effective December 1, 2017, certain amendments were made to FED. R. Bankr. P. 3002 including 3002(c)(7). As a result of these changes, you should review and consult the rules in connection with the preparation and timely filing of any proofs of claim.</b>		
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<b>Deadline to object to exemptions:</b> The law permits debtors to keep certain property as exempt. If you believe that the law does not authorize an exemption claimed, you may file an objection.		<b>Filing deadline:</b> 30 days after the conclusion of the meeting of creditors
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<b>9. Filing of plan</b>	The debtor has not filed a plan as of this date. The last day to object to the plan is <b>9/14/21</b> . The hearing on confirmation will be held: Date: <b>9/28/21</b> , Time: <b>09:00 AM</b> , Location: <b>2601 2nd Avenue North, Billings, MT 59101</b> .	
<b>10. Creditors with a foreign address</b>	If you are a creditor receiving a notice mailed to a foreign address, you may file a motion asking the court to extend the deadline in this notice. Consult an attorney familiar with United States bankruptcy law if you have any questions about your rights in this case.	
<b>11. Filing a chapter 13 bankruptcy case</b>	Chapter 13 allows an individual with regular income and debts below a specified amount to adjust debts according to a plan. A plan is not effective unless the court confirms it. You may object to confirmation of the plan and appear at the confirmation hearing. A copy of the plan, if not enclosed, will be sent to you later, and if the confirmation hearing is not indicated on this notice, you will be sent notice of the confirmation hearing. The debtor will remain in possession of the property and may continue to operate the business, if any, unless the court orders otherwise.	
<b>12. Exempt property</b>	The law allows debtors to keep certain property as exempt. Fully exempt property will not be sold and distributed to creditors, even if the case is converted to chapter 7. Debtors must file a list of property claimed as exempt. You may inspect that list at the bankruptcy clerk's office or online at <a href="https://pacer.uscourts.gov">https://pacer.uscourts.gov</a> . If you believe that the law does not authorize an exemption that debtors claimed, you may file an objection by the deadline.	
<b>13. Discharge of debts</b>	Confirmation of a chapter 13 plan may result in a discharge of debts, which may include all or part of a debt. However, unless the court orders otherwise, the debts will not be discharged until all payments under the plan are made. A discharge means that creditors may never try to collect the debt from the debtors personally except as provided in the plan. If you want to have a particular debt excepted from discharge under 11 U.S.C. § 523(a)(2) or (4), you must file a complaint and pay the filing fee in the bankruptcy clerk's office by the deadline. If you believe that the debtors are not entitled to a discharge of any of their debts under 11 U.S.C. § 1328(f), you must file a motion by the deadline.	

United States Bankruptcy Court  
District of Montana

In re:  
MISTY ROBERTS  
JAMES DARIN CLEMONS  
Debtors

Case No. 21-10080-BPH  
Chapter 13

## CERTIFICATE OF NOTICE

District/off: 0977-1  
Date Rcvd: Jul 13, 2021

User: ColeenHan  
Form ID: 309I

Page 1 of 3  
Total Noticed: 36

The following symbols are used throughout this certificate:

Symbol	Definition
+	Addresses marked '+' were corrected by inserting the ZIP, adding the last four digits to complete the zip +4, or replacing an incorrect ZIP. USPS regulations require that automation-compatible mail display the correct ZIP.

**Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Jul 15, 2021:**

Recip ID	Recipient Name and Address
db/jdb	+ MISTY ROBERTS, JAMES DARIN CLEMONS, PO BOX 2313, RED LODGE, MT 59068-2313
tr	+ ROBERT G. DRUMMOND, PO BOX 1829, GREAT FALLS, MT 59403-1829
1401158	+ Bank of Red Lodge, 401 Broadway Ave N, Red Lodge, MT 59068-9287
1401182	Billings Clinic, ATTN: Patient Financial Services, PO Box 31797, Billings, MT 59107-1797
1401161	+ Cedarwind Homeowner's Association, c/o Patten, Peterman, Bekkeahl & Gr, PO Box 1239, Billings, MT 59103-1239
1401162	+ Credit Associates Inc, Po Box 6099, Great Falls, MT 59406-6099
1401166	+ G Barclay Corbus, c/o Jaqueline R Papez, Jack G, Connors, Doney Crowley PC, PO Box 1185, Helena, MT 59624-1185
1401168	Knect, 1000 Mallowney Ln, Billings, MT 59101
1401153	+ MISTY ROBERTS, JAMES DARIN CLEMONS, PO Box 2313, Red Lodge, MT 59068-2313
1401169	+ Media Collections, Inc. dba JMC, 8948 Canyon Falls Blvd., Ste 200, Twinsburg, OH 44087-1900
1401170	+ Midway Rental, c/o Crowley Fleck PLLP, 1667 Whitefish Stage Rd, PO Box 759, Kalispell, MT 59903-0759
1401157	+ Montana Department of Revenue, PO Box 7701, Helena, MT 59604-7701
1401172	+ Paypal Loans, c/o Enterprise Recovery, LLC, PO Box 481, Malvern, PA 19355-0481
1401173	+ Pella Corporation, 102 Main St, Pella, IA 50219-2198
1401174	+ Practical Taxes, PO Box 21285, Billings, MT 59104-1285
1401184	+ Project Telephone Company, 2457 Main St, Worden, MT 59088-2227
1401175	+ Revenue Enterprises LI, PO Box 441368, Aurora, CO 80044-1368
1401176	+ Sean Richards, PO Box 2550, Red Lodge, MT 59068-2550
1401177	State of Montana, Dept of Labor UI Division, PO Box 6339, Pompeys Pillar, MT 59064
1401181	+ Towe, Ball, Mackey, Sommerfeld and, PO Box 30457, Billings, MT 59107-0457

TOTAL: 20

**Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.**

Electronic transmission includes sending notices via email (Email/text and Email/PDF), and electronic data interchange (EDI). Electronic transmission is in Eastern Standard Time.

Recip ID	Notice Type: Email Address	Date/Time	Recipient Name and Address
aty	Email/Text: bret@yellowstonelawgroup.com	Jul 13 2021 20:53:00	Bret T Allred, Yellowstone Law Group LLC, 117 North Bent Street, Suite B, Powell, WY 82435
ust	+ Email/Text: ustp.region18.bs.ecf@usdoj.gov	Jul 13 2021 20:53:00	OFFICE OF THE U.S. TRUSTEE, US DEPT OF JUSTICE, 720 PARK BLVD, STE 220, BOISE, ID 83712-7785
1401154	+ EDI: GMACFS.COM	Jul 14 2021 00:58:00	Ally Financial, ATTN: Bankruptcy, PO Box 380901, Bloomington, MN 55438-0901
1401155	+ Email/Text: bknotices@bankofthewest.com	Jul 13 2021 20:53:46	Bank of the West, ATTN: Bankruptcy, 180 Montgomery St, 25th Floor, San Francisco, CA 94104-4206
1401159	+ EDI: TSYS2.COM	Jul 14 2021 00:58:00	Barclays Bank Delaware, ATTN: Bankruptcy, PO Box 8803, Wilmington, DE 19899-8803
1401160	+ EDI: CAPITALONE.COM	Jul 14 2021 00:58:00	Capital One, ATTN: Bankruptcy, PO Box 30285, Salt Lake City, UT 84130-0285
1401163	+ Email/PDF: creditonebknotifications@resurgent.com	Jul 13 2021 21:06:46	Credit One Bank, ATTN: Bankruptcy, PO Box 98873, Las Vegas, NV 89193-8873
1401164	+ Email/Text: collector@creditservice.com	Jul 13 2021 20:53:00	Credit Service Company, ATTN: Bankruptcy, PO

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1401167	Email/Text: litbkcourtmail@johndeere.com	Jul 13 2021 20:53:00	Box 80908, Billings, MT 59108-0908 John Deere Financial, PO Box 6600, Johnston, IA 50131-6600
1401165	+ EDI: AMINFOFP.COM	Jul 14 2021 00:58:00	First Premier Bank, ATTN: Bankruptcy, PO Box 5524, Sioux Falls, SD 57117-5524
1401183	+ Email/Text: BankruptcyNotices@hughes.com	Jul 13 2021 20:53:00	Hughes Network Systems, LLC, 11717 Exploration Lane, Germantown, MD 20876-2799
1401156	EDI: IRS.COM	Jul 14 2021 00:58:00	Internal Revenue Service, P.O. Box 7346, Philadelphia, PA 19101-7346
1401171	+ EDI: NAVIENTFKASMSERV.COM	Jul 14 2021 00:58:00	Navient, ATTN: Bankruptcy, PO Box 9640, Wilkes Barre, PA 18773-9640
1401178	+ Email/Text: srsbankruptcy@statesrecovery.com	Jul 13 2021 20:53:00	States Recovery Systems, ATTN: Bankruptcy, PO Box 2860, Rancho Cordova, CA 95741-2860
1401179	+ EDI: RMSC.COM	Jul 14 2021 00:58:00	Synchrony Bank/Amazon, PO Box 965015, Orlando, FL 32896-5015
1401180	+ EDI: WTRRN BANK.COM	Jul 14 2021 00:58:00	Target, C/O Financial & Retail Svcs, Mailstop BT POB 9475, Minneapolis, MN 55440-9475

TOTAL: 16

## BYPASSED RECIPIENTS

The following addresses were not sent this bankruptcy notice due to an undeliverable address, \*duplicate of an address listed above, \*P duplicate of a preferred address, or ## out of date forwarding orders with USPS.

NONE

## NOTICE CERTIFICATION

I, Joseph Speetjens, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.

Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed .R. Bank. P.2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.

Date: Jul 15, 2021

Signature: /s/Joseph Speetjens

## CM/ECF NOTICE OF ELECTRONIC FILING

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on July 13, 2021 at the address(es) listed below:

Name	Email Address
Bret T Allred	on behalf of Debtor MISTY ROBERTS bret@yellowstonelawgroup.com clients@yellowstonelawgroup.com;allred.bretr101627@notify.bestcase.com
Bret T Allred	on behalf of Joint Debtor JAMES DARIN CLEMONS bret@yellowstonelawgroup.com clients@yellowstonelawgroup.com;allred.bretr101627@notify.bestcase.com
OFFICE OF THE U.S. TRUSTEE	ustp.region18.bs.ecf@usdoj.gov
ROBERT G. DRUMMOND	Trustee@MTChapter13.com kprinzing@MTChapter13.com;tfloerchinger@MTChapter13.com;rdrummond13@ecf.epiqsystems.com

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